

### **REMARKS/ARGUMENTS**

This Amendment is filed in response to the office action mailed March 28, 2005 along with a Petition for Two-Month Extension of Time to extend the deadline for response to August 28, 2005. Reconsideration of the pending claims with an eye toward allowance is respectfully requested.

Applicant notes that this application was filed on 17 December 2001 and had been pending for more than three years before the first action on the merits. Without admitting the propriety of the prior art rejections under 35 USC 102 and/or 35 USC 103, and primarily for business reasons, Applicant has cancelled certain claims without prejudice to pursue such claims in a related continuation or divisional application and amended other of the claims to place them in condition for allowance and to advance the stage of prosecution toward grant. Allowance is predicated on one or more of the acknowledged differences from the prior art such that either an estimate of the phase difference between each received subsequence is performed using a partial subsequence-based phase difference estimation procedure, or the transmitted training sequence signals in each block have a different phase, or a combination of these elements.

Applicant has also amended the claims to address the claim rejections under 35 USC 112 and other objections associated with antecedent basis problems, variable definitions in the claims, acronyms in the claims, and other grammatical, typographical or other formalities.

Claims 23-33 are cancelled without prejudice to present the identical claims or amended versions of the claims in a related divisional or continuation application.

#### **Rejection and Objection of the Claims**

Claims 35-37 are newly added apparatus claims analogous to claims already presented and examined. Claim 35 is patentable over the cited prior art at least because it requires "said training sequence signals being sent in blocks and said blocks number as many or more than a number of said transmit antennas, and (i) during one block all transmitted training sequence signals share a same phase and (ii) during another block all transmitted training sequence signals have a different phase;". Claim 36 is dependent from claim 35 and further requires "said estimate of the phase difference between each received subsequence being performed using a partial subsequence-based phase difference estimation procedure." Claim 37 is dependent from claim 36 and further requires "said subsequence signals comprise

an optimal or near-optimal training sequence due to their preserved orthogonality at the receiver." Applicant therefore submits that each of the pending amended and newly added claims are supported by the specification as filed and patentable over the known prior art.

The Application being in condition for allowance, Applicant respectfully requests that the Examiner issue a Notice of Allowance at an early date. If the Examiner believes that personal communication will expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

While Applicant believes that no further fees are due at this time, the Commissioner is authorized to charge any fees that may be due as a result of filing this amendment, including additional claims fees not already paid for, and/or any extension fees or other fees that have not been separately paid, to Deposit Account 50-2319 (Order No. A-70184/RMA (463438-12)).

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: 8/5/2005

By: R. Michael Ananian  
R. Michael Ananian, Reg. No. 35,050

Customer No. 32940  
555 California Street, Suite 1000  
San Francisco, CA 94104-1513  
Telephone: (650) 494-8700  
Facsimile: (650) 494-8771

PA\_1090641  
4831-9487-3344